



P/35-11

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : M. Krysiak

Serial No.: 09/510,782

Group Art Unit: 3643

Filed: February 23, 2000

Examiner: S. Nguyen

For: FORTIFIED MULCH

Assistant Commissioner for Patents
Washington, D.C. 20231

12/ Response
8/27/02

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Sir:

This is in response to the Office Action mailed April 4, 2002.

The Examiner has rejected claims 1, 4-6, 8 and 9 under 35 USC 103 as being obvious over Spittle, 5,916,027, in view of Morgan, 6,029,395 and Thomas 4,067,140.

Regarding claims 1 and 4, the Examiner states that Spittle discloses a granulation method, Col. 3, lines 28-30, for creating mulch comprising the steps of adding paper fibers to a mixer, Col. 2, line 50 and Col. 3, lines 6-13; adding NPK fortifiers before the mixer, Col. 2, line 53 and Col. 3, lines 16-17; mixing the paper fibers and NPK into a mixture and spraying a fine mist as the mixture is agitated; Col. 3, lines 18-22; and drying contents of the mixer, Col. 3, lines 18-30. Spittle is silent about using a pin mixer, which performs the step of mixing/tumbling, and a binding agent.

The Examiner does not acknowledge that Spittle teaches a pressure compression extrusion product, because no where in the Spittle reference does it teach a pressure compression extrusion process. All lines 18-27 teaches are mainly that the mixture is pelletized into pellets 3/16 inch diameter and then the product is cooled and dried.